

## **RFP-4-92**

### **Questions and Answers**

**Q1** Section 1.3, 2b states that random selection reports must be "hand-delivered". Is it possible to deliver these reports in another confidential manner, e.g. confidential fax or email?

**A1** Hand-delivering the random selection reports is preferred. The State has a serious concern about the security of these lists, and having them hand-delivered to selected individuals minimizes the possibility of improper disclosure of the information.

**Q2** If you are happy with the mobile collection vehicles and collection sites presently used, is it possible to obtain a list of the collection sites and companies used?

**A2** The collection vehicles used belong to the current TPA providing these services to the State. The current TPA uses dozens of collection sites across the State with which the TPA contracts separately.

**Q3** Attachment F lists the number of employees per agency. Is it possible to have a breakdown by location?

**A3** Yes, the following is a list of employees by location for INDOT. That is the largest group. No additional breakdown is provided for the other agencies, as the mathematical averages are sufficient. The total does not exactly match INDOT's total in the RFP due to routine turnover between the dates the different data were compiled.

CDLs by INDOT location:

TOLL ROAD:

Mile Post #23 = 32.

Mile Post #52 = 30.

Mile Post #87 = 36.

Mile Post # 137.5 = 32.

SEYMOUR:

Aurora Sub = 57.

Bloomington Sub = 47.

Columbus Sub = 63.

Falls City Sub = 85.

Madison Sub = 71.

Seymour District = 130.

GREENFIELD:

Albany Sub = 56.

Centerville Sub = 53.

Indianapolis Sub and TMC (Traffic Mgmt. Ctr.) = 97.

Tipton Sub = 56.

Greenfield Sub and District = 242.

FT. WAYNE:

Angola Sub = 51.

Bluffton Sub = 55.

Goshen Sub (now renamed Elkhart Sub) = 50.

Wabash = 70.

Warsaw Sub = 59.

Ft. Wayne Sub and District = 87.

CRAWFORDSVILLE:

Cloverdale Sub = 40.  
Crawfordsville Sub = 49.  
Fowler Sub = 45.  
Frankfort Sub = 40.  
Terre Haute Sub = 38.  
Crawfordsville District = 78.

VINCENNES:  
Evansville Sub = 73.  
Linton sub = 57.  
Paoli Sub = 67.  
Tell City = 74.  
Vincennes District = 99.

LAPORTE:  
Gary Sub & Freeway Management = 110.  
Monticello Sub = 50.  
Plymouth Sub = 60.  
Rensselaer Sub = 64.  
Winamac Sub = 64.  
Laporte Sub and District = 140.

Total of these numbers = 2607.

**Q4** Is the State of Indiana prohibited from structuring a RFP in such a way as to exclude a group of respondents from consideration and favor/preference given to the current service provider? (throughout RFP)

**A4** As identified by statute in IC 5-22-9 and the RFP Manual prepared by the Indiana Department of Administration (IDOA) governing this process, the purpose of an RFP is to provide a formal process for the procurement of goods and/or services for which price is not the sole factor in selection of a vendor or vendors. This process is intended to allow the State to award a contract to the responsible vendor whose proposal is determined to provide the best value to the State and the best fit for the agency's needs. RFP 4-92 was written to describe the services that meet SPD's needs now and for the foreseeable future.

**Q5** Since the service requested by the State of Indiana within RFP 4-92 will cover the entire State of Indiana, why then will Indianapolis references be given more weight in the state's evaluation process? (Section 2.3.9)

**A5** Section 2.3.9 does not contain any preference for Indianapolis references. It states, in its entirety, as follows:

**2.3.9 Registration to do Business**

Selected out of state respondents providing products and/or services required by this RFP must be registered to do business within the state by the Indiana Secretary of State. The address contact information for this office may be found in Section 1.20 of this RFP. This process must be concluded prior to contract negotiations with the State. It is the successful respondent's responsibility to complete the required registration with the Secretary of State. The respondent must indicate the status of registration, if applicable, in this section of the proposal.

Section 2.3.8, however, does mention references and specifically requests references near the Indianapolis area in order to facilitate site visits by the RFP Evaluation Team if such are deemed necessary. Site visits near Indianapolis are a more efficient use of time and resources as the evaluators are located in Indianapolis. No greater weight is given to those references.

**Q6** Is the State's current TPA required to hand-deliver the quarterly random selection reports (are these reports the semi-annual MIS reports or the notification letters of who has been randomly selected?) to State Personnel and INDOT contacts? If not, why has this requirement been added? What errors or happenings occurred to make this a requirement since this is not a requirement of DOT regulations? (Section 1.2.b)

**A6** Yes, the State's current TPA is required to hand-deliver the quarterly random selection reports. This requirement does not apply to the semi-annual MIS reports. Eliminating advance notice of testing to those being tested is a serious concern of the State.

**Q7** Is the State's current TPA utilizing five (5) mobile units simultaneously and exclusively for the State of Indiana? If not, how many do they use simultaneously and exclusively for the State of Indiana's contract? (Section 1.4.a.)

**A7** The RFP states how the current process is being done and is mentioned for reference, not as a minimum requirement. Each respondent should propose their best method for providing the services required in the RFP.

**Q8** Is the State's current TPA utilizing twenty (20) certified urine collectors and BAT's to provide "adequate" service simultaneously and exclusively for the State of Indiana? If not, how many do they use simultaneously and exclusively to provide "adequate" service for the State of Indiana? (Section 1.4.c)

**A8** The RFP states how the current process is being done and is mentioned for reference, not as a minimum requirement. Each respondent should propose their best method for providing the services required in the RFP.

**Q9** See Section 3.2.2 Overall Management Judgment: "This category will be evaluated on a combination of factors including, but not limited to, the following: Long-term financial stability, responsibility, and capability to fulfill required commitments through the term of the contract anticipated as a result of this RFP; Difficulty of implementation of requested products/services; Past respondent performance and expected future support. The information used for evaluation of this category will come from a number of sources including references provided by respondent and other sources available to the State".

Does this mean that longevity equates with quality and capability? The RFP criterion makes the assumption that the past respondent is the only viable, stable, responsible and capable vendor to provide the requested services. Why is the acceptance of this RFP by the State of Indiana depended upon the "past respondent performance and expected future support"? Limiting access and assumptions like these appear to be discriminatory against any other respondent to RFP 4-92 other than the past respondent. Therefore, what value does this statement included as evaluation criteria provide to the successful orchestration of the services requested?

**A9** The term "past respondent" does not mean "current vendor." Respondent is the term used throughout the RFP to identify those persons and entities responding to the RFP. Knowledge of past performance is a legitimate element in evaluating potential vendors in any enterprise. Past performance is not limited to performance on the contract under consideration nor to performance in contracts with the State of Indiana. Past performance can also be assessed through review of and discussion with references. Past respondent performance and expected future support of the proposed contract terms are criteria that can cut both ways for current and potential state vendors.

**Q10** 2.b and 3.a Can random selections reports be e-mailed, rather than hand-delivered?

**A10** Hand-delivery is the preferred method. The State has serious concerns about the security of these lists and avoiding the possibility of advance notice to those being tested.

**Q11** 9,e Do you have a count of how many D&I requests were submitted in the past, or an estimate moving forward?

**A11** The current TPA states that five (5) D&I Isomer tests annually is the average.

**Q12** 17 How many Expert Witness testimony requests were needed in the past, or an estimate moving forward?

**A12** Expert witness testimony has been used on a couple of occasions in the past. The usual use of such testimony is whenever an arbitration or administrative adjudication is conducted challenging the results of a test, the chain of custody, or the determination of the MRO that a result was not due to legitimate causes.

**Q13** Who is the current vendor?

**A13** Midwest Toxicology, Inc.

**Q14** What is the current fee schedule?

**A14** Drug Tests = \$70.00

Alcohol Tests = \$30.00

**Q15** Is the random selection process selecting by individual basis or location basis?

**A15** The random selection process is on an individual basis.

**Q16** Based on the approximate numbers in Attachment F and past history, does the contract utilize all 5 mobile units?

**A16** The State does not determine the internal allocation of resources for the TPA. The RFP states how the current process is being done and is mentioned for reference, not as a minimum requirement. Each respondent should propose their best method for providing the services required in the RFP.